

LABOUR DEPARTMENT

The 22nd January, 1981

No. 9(112)-80-8Lab/312.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s. Haryana State Electricity Board, Panipat.

BEFORE SHRI BANWARI LAL DALAL,

PRESIDING OFFICER,

LABOUR COURT,

HARYANA, ROHTAK

Reference No. 65 of 1980

between

SHRI DARYAO SINGH, ALM. WORKMAN AND THE MANAGEMENT OF M/S. HARYANA STATE ELECTRICITY BOARD, PANIPAT

Present:

Shri D. P. Pathak, along with the workman.

Shri S. S. Sarohi, for the management.

AWARD

This reference No. 65 of 80 has been referred to this court by the Hon'ble Governor.—vide his order No. ID/KNL/4-80/13442, dated the 13th March, 1980 for adjudication of the dispute existing between Shri Daryao Singh, workman and the management of M/s. H.S.E.B. Panipat. The term of the reference was:—

Whether the termination of service of Shri Daryao Singh was justified and in order? If not, to what relief is he entitled?

On the receipt of the order of reference notices as usual were sent to the parties who appeared in response to the same on 22nd May, 1980. The workman filed his statement of claim on 10th July, 1980 and the case was adjourned to 18th September, 1980 for filing of the written statement. The management filed the written statement on 17th November, 1980 as the same was not ready on 18th September, 1980 and the case was adjourned to 22nd December, 1980 on which date the statement of

the parties were recorded as under:—

Statement of Shri S. S. Sarohi, representative of the management:—

“The management agrees to reinstate the workman on his old terms and conditions of service with continuity of service. The intervening period shall be treated as leave of the kind due.”

Statement of Shri Daria Singh, workman concerned:—

“I have heard the statement of the authorised representative of the management and accept the same. Award may be made accordingly.”

In view of their statements no further proceedings are called for and the reference is answered in the terms agreed on and revealed in their statements and returned accordingly. No order as to costs.

The 24th December, 1980.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endorsement No. 104, dated the 1st January, 1981.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 9(1)81-8Lab/318.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of

M/s. Hindustan National Glass Ltd., Bahadurgarh.
 BEFORE SHRI BANWARI LAL DALAL,
 PRESIDING OFFICER,
 LABOUR COURT,
 HARYANA, ROHTAK.
 Reference No. 64 of 1980
 between

SHRI DINESH KUMAR, WORKMAN
 AND THE MANAGEMENT OF M/S.
 HINDUSTAN NATIONAL GLASS LTD.,
 BAHADURGARH

Present:

Shri Dinesh Kumar workman in person.

Shri R. Chandra, for the management.

AWARD

This reference No. 64 of 1980 has been referred to this court by the Hon'ble Governor,—vide his order No. ID/RTK/21-80/13430, dated 13th March, 1980 under section 10(i)(c) of the Industrial Disputes Act for adjudication of the dispute existing between Shri Dinesh Kumar, workman and the management of M/s. Hindustan National Glass Ltd., Bahadurgarh. The term of the reference was:—

Whether the termination of services of Shri Dinesh Kumar was justified and in order ? If not to what relief is he entitled ?

On the receipt of the order of reference notices as usual were sent to the parties who appeared in response to the same on 30th April, 1980. The workman filed his statement of claim on the same day, the management filed their written statement on 20th May, 1980. After two adjournments for filing the rejoinder the parties reached a settlement, the copy of which was placed on the file and the statements of the workman was recorded as under on 20th August, 1980:—

"I have received the payment of Rs. 3,618.46 paise in full and final settlement of all my claims including my right of reinstatement or re-employment as agreed upon in the settlement filed by the management. Now I don't have any dispute with the management in respect of my demand leading to the present reference. Award may be passed accordingly."

In view of his statement there remains no dispute between the parties requiring adjudication and the award is made accordingly and the reference is returned in the terms of the statement of the workman. No order as to costs.

The 20th December, 1980.

BANWARI LAL DALAL,
 Presiding Officer,
 Labour Court,
 Haryana, Rohtak.

Endorsement No. 97, dated the 1st January, 1981.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,
 Presiding Officer,
 Labour Court,
 Haryana, Rohtak.

No. 9(1)81-8Lab/319.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Vikram Rubber and Allied Industries, Bahadurgarh.

BEFORE SHRI BANWARI LAL DALAL,
 PRESIDING OFFICER,
 LABOUR COURT,
 HARYANA, ROHTAK
 Reference No. 89 of 1979

between
 SHRI KAPIL, WORKMAN AND THE
 MANAGEMENT OF M/S. VIKRAM
 RUBBER AND ALLIED INDUSTRIES,
 BAHADURGARH

Present:

Shri Rajinder Singh, for the workman.

Shri M. M. Kaushal, for the management.

AWARD

This reference No. 89 of 1979 has been referred to this court by the Hon'ble Governor,—vide his order No. ID/RTK/14-79/16266, dated the 13th April, 1979 under section 10(i)(c) of the Industrial Disputes Act, for adjudication of the dispute existing between Shri Kapil.

workman and the management of M/s. Vikram Rubber and Allied Industries, Bahadurgarh. The term of the reference was:—

Whether the termination of the services of Shri Kapil was justified and in order ? If not to what relief is he entitled ?

On the receipt of the order of reference notices as usual were sent to the parties who appeared in response to the same on 13th July, 1979 and the workman filed the claim statement. The management filed the written statement and the workman filed his rejoinder on the basis of the pleadings of the parties issues were framed on 15th November, 1979. The workman was asked to adduce his evidence on preliminary issues on 13th December, 1979 which was not produced by him till 11th December, 1980 the date on which the workman representative made a statement regarding the settlement reached by the workman with the management disclosing the intention of the workman for filing the reference as he was not interested in his reinstatement or re-employment with the management.

The award is therefore made that the workman has settled his dispute with the management and as such is not entitled to any further relief. The reference is answered and returned in the above term. The 20th December, 1980.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court,
Haryana, Rohtak.

Endorsement No. 96, dated the 1st January, 1981.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court,
Haryana, Rohtak.

No. 9(1)81-8Lab/372.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal,

Faridabad, in respect of the dispute between the workman and the management of M/s Ess Kay Textiles, NIT., Faridabad:—

BEFORE SHRI M. C. BHARDWAJ,
PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 522 of 1978

between

SHRI NORANG RAM, WORKMAN AND
THE MANAGEMENT OF M/S ESS KAY
TEXTILES, NIT., FARIDABAD

Present:

Shri S. R. Gupta for the workman.
Shri R. C. Sharma for the management.

AWARD

By order No. ID/FD/II/167-78/49309, dated 3rd November, 1978, the Governor of Haryana, referred the following dispute between the management of M/s Ess Kay Textiles, NIT, Faridabad and its workman Shri Norang Ram, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Norang Ram was justified and in order ? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties issues were framed on 7th June, 1979 and the case was fixed for the evidence of the management who took an opportunity but finally took adjournment for negotiating settlement which was arrived at between the parties. The workman made a statement that he had settled the dispute with the management for a sum of Rs. 2,500. He will have no further claim including his right of reinstatement. The management paid him this amount and the dispute was thus settled.

I, therefore, give my award that the dispute has been settled between the parties and the workman has received a sum of Rs. 2,500 from the management in

full and final settlement of his dispute including his right of reinstatement.
The 1st January, 1981.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 46, dated 5th January, 1981.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9(1)81-8Lab/374.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s B.T. Refractories, Pvt. Ltd., Jaipur Road, Gurgaon.

BEFORE SHRI M. C. BHARDWAJ,
PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 324 of 1979
between

SHRI N. K. KAPOOR, WORKMAN AND
THE MANAGEMENT OF M/S B. T.
REFRACTORIES, PRIVATE LIMITED,
JAIPUR ROAD, GURGAON

Present:

Shri S. K. Yadav for the workman.
Shri S. K. Goswamy for the management.

AWARD

By order No. GG/45-79/43314, dated 9th October, 1979, the Governor of Haryana, referred the following dispute between the management of M/s B.T. Refractories, Private Limited, Jaipur Road, Gurgaon, and its workman Shri N. K. Kapoor, to this Tribunal, for adjudication, in exercise of the powers conferred by

clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri N. K. Kapoor, was justified and in order? If not to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 3rd December, 1979 and the case was fixed for the evidence of the management but on the date fixed for the evidence the parties made their statements that they have arrived at a settlement. Shri S. K. Goswamy authorised representative of the management made a statement that the management had agreed to pay Rs. 3,500 in full and final settlement of all the dues including his right of reinstatement to the workman. The workman agreed to receive the payment. The management took opportunity to make payment in the court but they failed to turn up. Therefore, I give my award that the workman is entitled to receive payment of Rs. 3,500 from the management as his full and final settlement of his claims including his right of reinstatement. He will also be entitled for Rs. 90 as costs which had not been paid to him during the proceedings and additional costs of Rs. 100 will also be paid to the workman because he attended the court on a number of times when the management did not turn up to make payment. I order accordingly.

The 1st January, 1981,

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 44, dated 5th January, 1981.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.